

APPEAL NO. 032793  
FILED DECEMBER 10, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 23, 2003. With respect to the issues before him, the hearing officer determined that the respondent (claimant) sustained a compensable repetitive trauma injury; that the date of injury is \_\_\_\_\_; that the claimant timely reported her injury to her employer; that she timely filed a claim for compensation; and that she had disability, as a result of her compensable injury, from October 2 to November 16, 2002. In its appeal, the appellant (carrier) asserts error in the hearing officer's injury, date of injury, and disability determinations. In her response to the carrier's appeal, the claimant urges affirmance. The carrier did not appeal the timely notice or timely claim determinations and they have, therefore, become final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in making his injury, date of injury, and disability determinations. Those issues presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained her burden of proving that she sustained an injury as a result of performing repetitively traumatic activities at work, that the date of injury is \_\_\_\_\_, and that she had disability from October 2 to November 16, 2002. The factors emphasized by the carrier in challenging those determinations on appeal are the same factors it emphasized at the hearing. The significance, if any, of those factors was a matter for the hearing officer in resolving the issues before him. Nothing in our review of the record reveals that the challenged determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **HARTFORD UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge